

## REMARKS

This is intended as a full and complete response to the Office Action dated April 3, 2007, having a shortened statutory period for response set to expire on July 3, 2007. Applicants respectfully request entry and consideration of the above noted amendments and the following remarks in response to the Office Action. Applicants submit that support for the amendment to claim 71 can be found in at least original claim 50.

### CLAIM REJECTIONS:

Claim 71 stands rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,391,467 (*DeLisio*). Applicants have cancelled claim 71, thereby obviating the rejection.

Claims 43-70 and 72 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *DeLisio*. *DeLisio* teaches a cast film including a metallocene-catalyzed substantially syndiotactic propylene polymer (sPP). *See*, Column 1, lines 54-56. The film can further be fabricated with one or more outer layers. *See*, column 2, lines 19-20. While *DeLisio* recites that the film “can” be fabricated with one or more outer layers, it is well known by those skilled in the art that at low concentrations, sPP may improve properties of the cast film. However, higher concentrations of sPP have typically required additional aids, such as blending or additional film layers to reduce tackiness. *See*, *Schardl* Abstract submitted herewith. This is further demonstrated by the fact that the remainder of *DeLisio* discusses the additional layers of the cast film and the examples only show multi-layer cast films. *See*, column 2-column 5. It is impermissible within the framework of Section 103 to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art.” *See*, *In re Wesslau*, 353 F.2d 238, 241, 147 U.S.P.Q. 391, 393 (C.C.P.A. 1965).

Further, the Examples of *DeLisio* (the only reference to line speed and casting temperature) teach values that are specifically outside the claimed range. The claimed range teaches line speeds and casting temperatures that are specific to films consisting essentially of sPP (to minimize tackiness and thereby sticking to the cast roll). This issue is not contemplated or addressed by *DeLisio* as they are using outer layers to prevent

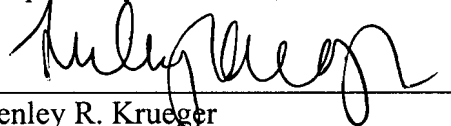
sticking. The Office Action states that “certainly, it would have been within the skill level of the art to perform the casting in *DeLisio* at a slightly slower speed than that taught therein given that one would be willing to accept a longer processing time.”

Where the prior art has not recognized the result-effective capability of a particular invention parameter, no expectation would exist that optimizing the parameter would successfully yield the desired improvement. *See, In re Antonie*, 559 F.2d at 619, 195 U.S.P.Q. at 8 (stating two exceptions to a result effective variable’s prima facie obviousness; 1. unexpectedly good results and 2. the art did not recognize that the parameter optimized was a result-effective variable).

Applicants respectfully submit that no expectation would exist that by optimizing the parameters of lines speed and casting temperature (and using a specific defined range of each, in combination) a cast film would successfully be formed of only syndiotactic polypropylene. Therefore, it cannot be presumed that it would be within the skill in the art to extrapolate casting temperatures and line speeds from the teaching of *DeLisio*. Accordingly, Applicants respectfully request withdrawal of the rejection.

As discussed above, *DeLisio* does not teach, show or suggest the features of the amended claims. Accordingly, Applicants submit that the claims are in condition for allowance and respectfully request the same.

Respectfully submitted,



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